

PROTOCOL**between the European Economic Community and the Government of the Republic of Senegal**

THE PARTIES TO THIS PROTOCOL,

Having regard to the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal, signed on 15 June 1979,

HAVE AGREED AS FOLLOWS:

Article 1

The limits referred to in Article 4 of the abovementioned Agreement shall be set as follows for the first two years of application of that Agreement:

- | | | |
|---------------------------|-----------------|-----------------------------|
| 1. tuna boats obliged | | 3 300 gross register tons, |
| 2. trawlers obliged | to land their | 1 600 gross register tons, |
| 3. tuna boats not obliged | entire catch in | 23 000 gross register tons, |
| 4. trawlers not obliged | Senegal: | 12 300 gross register tons. |

Article 2

The compensation referred to in Article 9 of the Agreement shall be set for the first two years of application of the Agreement at CFA 2 500 000 000.

Article 3

1. The use to which the compensation provided for in Article 2 is put shall be the sole responsibility of the Government of Senegal.
2. The Government of Senegal shall inform the European Economic Community of the programme for the use of the compensation.

Article 4

1. The compensation provided for in Article 2 shall be mobilized in accordance with a procedure to be laid down in an exchange of letters.
2. The compensation shall be paid into an account opened with a financial institution chosen by the Government of Senegal or in the books of the Treasurer-General of Senegal.

Article 5

If the European Economic Community fails to make the payments provided for in this Protocol, the Agreement on Fishing shall be suspended.

Article 6

This Protocol shall enter into force on the date on which the Parties notify one another of the completion of the procedures necessary for this purpose.

A. Letter from the Government of the Republic of Senegal

Sir,

With reference to the Agreement between the Government of the Republic of Senegal and the European Economic Community signed today, I have the honour to inform you that my Government reserves the right to make the granting of fishing licences to vessels flying the flag of a Member State of the Community and fishing under the Agreement on fishing negotiated between us subject to the obligation to take on board Senegalese nationals under the following conditions:

1. Vessels authorized to fish in Senegalese waters under the Agreement on fishing shall be obliged to take on board Senegalese registered seamen up to a proportion of 33 % of their crew. The personnel at present available have the following qualifications:
 - (a) first mate of vessel up to 300 GRT;
 - (b) first engineer of vessel up to 800 CV;
 - (c) deck officer of vessel up to 500 GRT;
 - (d) engineer officer of vessel up to 3 500 CV;
 - (e) boatswain of vessel up to 300 GRT;
 - (f) seaman;
 - (g) ship's greaser;
 - (h) ship's cook and steward.

Where a vessel authorized to fish in Senegalese waters has at least three crew officers in the deck or engine-room service, the crew of that vessel must include at least one Senegalese national having one of the qualifications mentioned under (a) or (b) above.
2. The number of seamen whom freezer tunny boats shall be obliged to take on shall be determined in overall terms, account being taken of the scale of their activities in Senegal's fishing zone and the number of crew members of other nationalities from countries whose fishing zones the fleet frequents.

I should be obliged if you would acknowledge receipt of this letter.

Please accept, Sir, the assurance of my highest consideration.

*For the Government
of the Republic of Senegal*

B. *Letter from the European Economic Community*

Sir,

I am in receipt of your letter of today's date, which reads as follows:

'With reference to the Agreement between the Government of the Republic of Senegal and the European Economic Community signed today, I have the honour to inform you that my Government reserves the right to make the granting of fishing licences to vessels flying the flag of a Member State of the Community and fishing under the Agreement on fishing negotiated between us subject to the obligation to take on board Senegalese nationals under the following conditions:

1. Vessels authorized to fish in Senegalese waters under the Agreement on fishing shall be obliged to take on board Senegalese registered seamen up to a proportion of 33 % of their crew. The personnel at present available have the following qualifications:
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 - (d) engineer officer of vessel up to 3 500 CV;
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 - (f) seaman;
 - (g) ship's greaser;
 - (h) ship's cook and steward.

Where a vessel authorized to fish in Senegalese waters has at least three crew officers in the deck or engine-room service, the crew of that vessel must include at least one Senegalese national having one of the qualifications mentioned under (a) or (b) above.

2. The number of seamen whom freezer tunny boats shall be obliged to take on shall be determined in overall terms, account being taken of the scale of their activities in Senegal's fishing zone and the number of crew members of other nationalities from countries whose fishing zones the fleet frequents.

I should be obliged if you would acknowledge receipt of this letter.'

I have the honour to inform you that the Community will have the letter published in order to bring its content to the attention of the shipowners concerned.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Council
of the European Communities*

A. Letter from the European Economic Community

Sir,

With reference to the Protocol between the European Economic Community and the Government of the Republic of Senegal annexed to the Agreement on fishing signed today, I have the honour to confirm that the amount of the compensation laid down in that Protocol for the first two years of application of the Agreement on fishing is by way of being an agreed amount and in no way prejudices what could be agreed for the following years on the basis of precise statistical and economic data on the catches made by the different categories of vessel in Senegal's fishing zone.

I should be obliged if you would confirm that your Government is in agreement with this interpretation.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the
Council
of the European Communities*

B. Letter from the Government of the Republic of Senegal

Sir,

I am in receipt of your letter of today's date, which reads as follows:

'With reference to the Protocol between the European Economic Community and the Government of the Republic of Senegal annexed to the Agreement on fishing signed today, I have the honour to confirm that the amount of the compensation laid down in that Protocol for the first two years of application of the Agreement on fishing is by way of being an agreed amount and in no way prejudices what could be agreed for the following years on the basis of precise statistical and economic data on the catches made by the different categories of vessel in Senegal's fishing zone.

I should be obliged if you would confirm that your Government is in agreement with this interpretation.'

I have the honour to confirm that the Government of the Republic of Senegal is in agreement with this interpretation.

Please accept, Sir, the assurance of my highest consideration.

*For the Government
of the Republic of Senegal*